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7
8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Automatic Revocation
Against:

13 **MOUTAZ ALMAWALDI, M.D.**
14 5120 Hill Rd East
15 P.O. Box 1917
Lakeport, CA 95453-1917

16 Physician's and Surgeon's Certificate No. A49796

17 Respondent.

Case No. 800-2018-040910

**NOTICE OF AUTOMATIC
REVOCATION OF LICENSE**

(Bus. & Prof. Code § 2232)

18
19 TO RESPONDENT MOUTAZ ALMAWALDI, M.D.:

20 YOU ARE HEREBY NOTIFIED that the Medical Board of California, Department of
21 Consumer Affairs (Board) has automatically revoked Physician's and Surgeon's Certificate No.
22 A 49796 by operation of law after having received and reviewed a copy of the record of
23 conviction described below.
24

25 1. On July 26, 2018, an Indictment was filed against you in *The People of the State of*
26 *California v. Moutaz Mohamad Almawaldi*, Lake County Superior Court case no. 951503.
27
28

1 2. On April 22, 2019, after entry of a plea of *nolo contendere*, you were convicted of
2 violation of Penal Code § 243.4(a) [sexual battery], a misdemeanor.

3 3. The record establishes that you were placed on three years summary probation and,
4 further, that you are required to register as a sex offender pursuant to Penal Code § 290.

5 4. Attached hereto and incorporated by reference are certified documents from *The*
6 *People of the State of California v. Moutaz Mohamad Almawaldi*, Lake County Superior Court
7 case no. 951503, which support the Board's findings:

8 Attachment A: Indictment

9 Attachment B: Minute Order, Charge Disposition and Summary Probation Order
10

11 **SEX OFFENDER REGISTRATION: AUTOMATIC REVOCATION**

12 5. Section 2232 of the Code states in pertinent part:

13 “(a) Except as provided in subdivisions (c), (d), and (e), the board shall automatically
14 revoke the license of any person who, at any time after January 1, 1947, has been required to
15 register as a sex offender pursuant to the provisions of Section 290 of the Penal Code, regardless
16 of whether the related conviction has been appealed. The board shall notify the licensee of the
17 license revocation and of his or her right to elect to have a hearing as provided in subdivision (b).


18 “(b) Upon revocation of the physician's and surgeon's certificate, the holder of the
19 certificate may request a hearing within 30 days of the revocation. The proceeding shall be
20 conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with
21 Section 11500) of Part I of Division 3 of Title 2 of the Government Code).”

22 **WHEREFORE, THE MEDICAL BOARD OF CALIFORNIA, DEPARTMENT OF**
23 **CONSUMER AFFAIRS, HEREBY NOTIFIES YOU THAT**, by virtue of said conviction and
24 requirement to register as a sex offender, Physician's and Surgeon's Certificate No. A 49796,
25 issued to Moutaz Alamawaldi, M.D. is automatically revoked by operation law, effective June
26 14, 2019, pursuant to Business and Professions Code section 2232. You shall cause to be
27
28

1 delivered to the Board both your wall and pocket license certificate within 15 days from the date
2 of the service of this Order.

3 **YOU ARE FURTHER NOTIFIED THAT** you have a right to a hearing as provided by
4 Business and Professions Code section 2232, subdivision (b), as set forth above. A request for a
5 hearing may be made by delivering or mailing such a request to: Lawrence Mercer, Deputy
6 Attorney General, Department of Justice, Office of the Attorney General, 455 Golden Gate
7 Avenue, Suite 11000, San Francisco, CA 94102. This Notice is being served by a designee of the
8 Board upon Moutaz Almawaldi, M.D. at his designated address of record with the Medical
9 Board.

10 Dated: June 14, 2019

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14 DENISE PINES, President
15 Medical Board of California
16 Department of Consumer Affairs
17 State of California
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Attachment A: Indictment

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Concord Field Office

MAY 10 2019

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FILED
SUPERIOR COURT
COUNTY OF LAKE

JUL 26 2018

BY: Krista D. Levier
CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LAKE

THE PEOPLE OF THE STATE OF
CALIFORNIA,

CASE NO. 951503

Plaintiff,

Vs.

INDICTMENT

MOUTAZ MOHAMAD ALMAWALDI,

Defendant.

This within instrument is a correct copy of
the document on file in this office.

ATTEST: 5/9/19
Krista D. Levier
Clerk of the Superior Court of the State
of California in and for the County of
Lake

by: Rosen
Deputy



Lake County Criminal Grand Jury of the County of Lake, State of California,
accuses defendant(s) of the following crime(s) committed in the County of Lake, State of
California:

A23
3-26-19

COUNT I

Misdemeanor

The District Attorney of the County of Lake, State of California, hereby accuses MOUTAZ
MOHAMAD ALMAWALDI of a felony, to wit: a violation of Section 243.4(a) of the California
Penal Code, in that said defendant or or about the 7th day of August, 2017, in the County of Lake,
State of California, did willfully and unlawfully touch an intimate part of K.M., while said person
was unlawfully restrained by said Defendant(s): MOUTAZ MOHAMAD ALMAWALDI, and an
accomplice, against the will of said person and for the purpose of sexual arousal, sexual
gratification, and sexual abuse.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
section 290. Willful failure to register is a crime."

//

//

By: 

JOHN J. LANGAN

Deputy District Attorney

County of Lake, State of California

"A TRUE BILL"



FOREMAN OF THE GRAND JURY

DATED: July 26, 2018

Names of witnesses examined by the Grand Jury on the findings of the foregoing indictment:

Joseph Lyons
Katie Mummert
Sarah Prichard

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LAKE STREET ADDRESS: 255 N. FORBES STREET MAILING ADDRESS: 255 N. FORBES STREET CITY AND ZIP CODE: LAKEPORT 95453 BRANCH NAME: LAKEPORT BRANCH		FILED FOR COURT USE ONLY SUPERIOR COURT COUNTY OF LAKE AUG 21 2018 BY <u>Krista D. LeVier</u> Deputy Clerk
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: <u>MONTAZ Almaraldi</u>		CASE NUMBER: <u>UF951503</u>
FINGERPRINT FORM		

INSTRUCTIONS

In any case in which the defendant is charged with a felony, the court must require the defendant to provide a right thumbprint on this form. Unless the court has obtained the thumbprint at an earlier proceeding, it must do so at the arraignment on the information or indictment, or upon entry of a guilty or no contest plea under Penal Code section 859a. In the event the defendant is convicted, this form is to be attached to the minute order reflecting the defendant's sentence and is permanently maintained in the court file. Please see Penal Code section 992 for further information, including what to do when the defendant is physically unable to give a right thumbprint.

For a proper imprint and durable record, this form should be printed on paper that meets California Department of Justice specifications: a 99-pound white tab card or 100-pound white tab stock 0.0070 inch thick (0.0066 through 0.0074 inch is acceptable). Paper smoothness should be 100-140 Sheffield units. The form should be printed with the grain left to right.

1. The box to the right contains the defendant's

- a. ☒ right thumbprint
 b. ☐ other print (specify):

2. The print was taken on (date): 8/21/18

3. The print was taken by

- a. Name: RADOMU
 b. Position: DEPUTY
 c. Badge or serial number: 2439

The within instrument is a correct copy of the document on file in this office.

ATTEST: 8/21/18
 Krista D. LeVier
 Clerk of the Superior Court of the State
 of California in and for the County of
 Lake

By: Rose D. LeVier
 Deputy



Attachment B: Minute Order, Charge Dispositions and Summary Probation Order

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LAKE
MINUTE ORDER**

People

Plaintiff,

VS.

Mohamad Moutaz Almawaldi
Defendant.

Case No. CR951503

Event Date: April 22, 2019

Event Type: Disposition or Setting

Judge: Shanda M Harry

Clerk: April Young

Reporter: Recorded

Charges:

1 - Misdemeanor - PC243.4(a); Conviction: Nolo Plea

Appearances:

Ed Borg , Prosecuting Attorney

Roy E Miller, Attorney for Defendant

Mohamad Moutaz Almawaldi, Defendant, Not In Custody

This instrument is a correct copy of
the document on file in this office.

ATTEST: 5/9/19
Katie D. Solvar
Clerk of the Superior Court of the State
of California in and for the County of
Lake

by Rose Jones Deputy



CHARGE DISPOSITIONS

Defendant enters a plea of

Plea	Count	Section Violated	Level
Conviction: Nolo Plea	1	PC243.4(a)	Misdemeanor

The Court accepts the defendant's plea and makes the findings and order in the form signed this date. See attached Advisement of Rights, Waiver and Plea Form executed by the defendant. The plea form is incorporated as part of the docket.

Counsel stipulate that there is a factual basis for the entry of plea.

The Court finds that there is a factual basis for the entry of plea.

The Court finds the entry of plea and waiver of rights as knowing, personal, voluntary, expressed and intelligent.

SENTENCING AND PROBATION

The imposition of sentence is suspended and the Defendant is placed on Summary Probation for a period of 3 Years subject to the following terms and conditions:

- Obey all laws.
- Notify the Court of any changes in mailing address, physical address or telephone number.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LAKE
SUMMARY PROBATION ORDER
PAGE 2 of 2

Name: Mohamad Almawaldi

Case No. CR951503

E. OTHER TERMS AND CONDITIONS

- ☐ Do not possess, have under your control, or use any type of illegal drug, controlled substance, or marijuana without legal authorization.
- ☐ Do not possess or have under your control any alcoholic beverage. Do not knowingly enter any public place where the primary item sold or dispensed is an alcoholic beverage. Abstain from use of alcoholic beverages.
- ☐ Submit to ☐ alcohol ☐ drug detection test if stopped by a peace officer for suspicion of driving under the influence.
- ☐ Upon the request of any probation officer or peace officer who may be acting without a search warrant and who may be acting without probable cause, submit samples of breath or body fluids for the purpose of determining the presence of alcohol or drugs. Pay all costs for these tests.
- ☐ Upon the request of any probation officer or peace officer who may be acting without a search warrant and who may be acting without probable cause, submit your person, vehicle, place of residence, or any other property under your control to search and seizure at any time.
- ☐ Do not drive unless validly licensed and insured.
- ☐ Do not drive with a measurable amount of alcohol in your blood.
- ☐ Install an ignition interlock device on any vehicle that you own or operate for a period of _____ years. You will not operate a motor vehicle unless the vehicle is equipped with a functioning, certified Ignition interlock device for a period of _____ years.
- ☐ Register as a drug offender as required by Health and Safety Code §11590.
- ☒ Register as a sex offender as required by Penal Code §290.
- ☐ Do not own, possess, or have under your control any firearm. ☐ Relinquish firearms per Penal Code §29810.
- ☐ Do not own, possess, or have under your control any deadly weapon.
- ☐ The Penal Code §136.2 Protective Order served upon you on _____ is to remain in effect throughout the period of probation.
- ☐ Do not contact _____.
- ☒ Do not annoy, harass, threaten, or assault _____.
- ☐ Do not enter the premises occupied by _____.

F. PROGRAMS: Participate effectively in and complete the following program(s) as directed by personnel of the program(s). Pay all costs for the program(s).

- ☐ Defendant is referred to Behavioral Health to complete programs as deemed appropriate by Behavioral Health.
- ☐ Attend _____ AA/NA meetings per week, for _____ weeks.
- ☐ Enroll in a DUI Program within 21 days ☐ of today ☐ of your release from custody.
Blood alcohol level: _____ ☐ 3-month program; ☐ 9-month program; ☐ multiple offender program
- ☐ Wet Reckless Program – enroll within 21 days ☐ of today ☐ of your release from custody.
- ☐ Eight-Week Anger Management Program.
- ☐ 52-Week Batterer's Treatment Program.
- ☐ Parenting Program
- ☐ Other Program: _____
- ☐ Return to court on _____ at **8:15 am** in **Department 1** with written proof of enrollment in program(s).
- ☐ Return to court on _____ at **8:15 am** in **Department 1** with written proof of completion of program(s).
- ☐ You will not be required to appear in court if you have provided the written proof of enrollment or completion to the court prior to your court appearance.

G. RESTITUTION:

- ☐ By way of paying restitution to _____, the defendant will pay the principal amount of \$_____, plus interest at the rate of 10% simple per annum on the principal amount, that accrues as of _____, plus 10% on the principal amount, for the administrative cost of collecting and distributing such restitution, by paying the aggregate of those amounts to the probation officer in such installments as he shall direct.

H. OTHER: _____

M. A

4122119

SUPERIOR COURT OF CALIFORNIA		<small>Reserved for Clerk's File Stamp</small> FILED SUPERIOR COURT COUNTY OF LAKE APR 22 2019 <small>JUDICIAL OFFICE</small> <small>CASE NUMBER (ATTORNEY'S USE)</small> CR951503
<small>COUNTY:</small>	COUNTY OF LAKE	
<small>PLAINTIFF:</small>		
PEOPLE OF THE STATE OF CALIFORNIA		
<small>DEFENDANT:</small>		<small>DEPARTMENT:</small> 4
<i>Mohamed Al Maawali</i> MISDEMEANOR ADVISEMENT OF RIGHTS, WAIVER, AND PLEA FORM		

INSTRUCTIONS

Fill out this form if you wish to plead guilty or no contest to the charges against you. Initial the box for each applicable item only if you understand it, and **sign and date the form on page 3**. If you have any questions about your case, the possible sentence, or the information on this form, ask your attorney or the judge.

RIGHT TO AN ATTORNEY

1. I understand that I have the right to be represented by an attorney throughout the proceedings. I understand that the Court will appoint a free attorney for me if I cannot afford to hire one, but at the end of the case, I may be asked to pay all or part of the cost of that attorney, if I can afford to. I understand that there are dangers and disadvantages to giving up my right to an attorney, and that it is almost always unwise to represent myself.....

NATURE OF THE CHARGES (Complete all items you are charged with.)

2. I understand that I am charged with the following offense(s):

243.4(a) PC (Misd)

TYPE OF OFFENSE(S) AND SECTION NUMBER(S)

3. If applicable - I am also charged with having the following prior conviction(s):

LIST OFFENSE(S), CASE NUMBER(S) AND DATE(S)

4. If applicable - I am also charged with violating the probation order in the following case(s):

CASE NUMBER(S) AND DATE(S)

5. I understand the charge(s) against me, and the possible pleas and defenses

CONSTITUTIONAL RIGHTS

6. **RIGHT TO A JURY TRIAL** - I understand that I have the right to a speedy, public jury trial. At the trial, I would be presumed innocent, and I could not be convicted unless 12 impartial jurors were convinced of my guilt beyond a reasonable doubt
7. **RIGHT TO CONFRONT WITNESSES** - I understand that I have the right to confront and cross-examine all witnesses testifying against me
8. **RIGHT AGAINST SELF-INCRIMINATION** - I understand that I have the right to remain silent and not incriminate myself, and the right to testify on my own behalf. I understand that by pleading guilty or no contest, or admitting other conviction(s) or probation violation(s), I am incriminating myself
9. **RIGHT TO PRODUCE EVIDENCE** - I understand that I have the right to present evidence and to have the Court issue subpoenas to bring into court all witnesses and evidence favorable to me, at no cost to me.....

INITIALS ↓
1. <i>NA</i>
2. <i>NA</i>
3. <i>/</i>
4. <i>/</i>
5. <i>NA</i>
6. <i>NA</i>
7. <i>NA</i>
8. <i>NA</i>
9. <i>NA</i>

INITIALS ↓

- 10

12. $\frac{1}{2}A$

13. $\frac{1}{2} \frac{1}{2}$

14. ~~Y. A.~~

15. $\frac{1}{2} \Delta$

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1999-2000

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Abstract

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- 16.

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CONSEQUENCES OF PLEA OF GUILTY OR NO CONTEST (Continued)

19. I understand that a plea of no contest will have exactly the same effect in this case as a plea of guilty, but it cannot be used against me in a civil lawsuit unless the offense is punishable as a felony.....

20. I understand that any plea entered in this case may be grounds for violating probation or parole which has previously been granted to me in any other case.....

PLEA(S)

21. I hereby freely and voluntarily plead No Contest to the following:

243.4(a) PC MSDO
GUILTY OR NO CONTEST
LIST CHARGE(S)

22. I understand that I have the right to a delay of from 6 hours to 5 days prior to being sentenced. I give up this right and agree to be sentenced at this time.....

23. If applicable - I freely and voluntarily admit the other conviction(s) that I listed on this form. I understand that this admission will increase the penalties which are imposed on me.....

24. If applicable - I freely and voluntarily admit the probation violation(s) that I listed on this form and give up my right to a hearing before a judge regarding the probation violation(s)

25. If applicable - I understand that I have the right to enter my plea before, and to be sentenced by, a judge. I give up this right and agree to enter my plea before, and to be sentenced by:

TEMPORARY JUDGE'S NAME

INITIALS ↓
19. MA
20. MA
21. MA
22. MA
23. /
24. /
25. /

**DEFENDANT'S SIGNATURE: A. M. R. DATE: 4-22-19

ATTORNEY'S STATEMENT

I am the attorney of record for the defendant. I have reviewed the form and any addenda with my client. I have explained each of the defendant's rights to the defendant and answered all of the defendant's questions with regard to this plea. I have also discussed the facts of the defendant's case with the defendant, and explained the consequences of this plea, the elements of the offense(s), and the possible defenses. I concur in this plea and in the defendant's decision to waive his or her constitutional rights.

SIGNATURE OF DEFENDANT'S ATTORNEY

DATE

INTERPRETER'S STATEMENT (if applicable)

I, having been sworn or having a written oath on file, certify that I truly translated this form to the defendant in the language indicated below. The defendant stated that (s)he understood the contents of the form, and then (s)he initialed and signed the form.

Language: ☐ Spanish ☐ Other (specify): _____

COURT INTERPRETER'S SIGNATURE

TYPE OR PRINT NAME

DATE

COURT'S FINDINGS AND ORDER

The Court, having reviewed this form and any addenda, and having questioned the defendant concerning the defendant's constitutional rights and the defendant's admission of prior conviction(s) and probation violation(s), if any, finds that the defendant has expressly, knowingly, understandingly and intelligently waived his or her constitutional rights. The Court finds that the defendant's plea(s) and admission(s) are freely and voluntarily made with an understanding of the nature and consequences thereof, and that there is a factual basis for the plea(s). The Court accepts the defendant's plea(s), the defendant's admission of prior conviction(s) and probation violation(s), if any, and orders this form filed and incorporated in the docket by reference as though fully set forth therein.

Sherry
☒ Judge of the Superior Court
☐ Temporary Judge of the Superior Court

4/22/19
DATE